

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|             |   |   |                   |             |
|-------------|---|---|-------------------|-------------|
| Appellants: | Samuel FINEBERG et al.                                      | § | Confirmation No.: | 5258        |
|             |   | § |                   |             |
| Serial No.: | 10/808,138  | § | Group Art Unit:   | 2185        |
|             |   | § |                   |             |
| Filed:      | 03/03/2004  | § | Examiner:         | Daniel Tsui |
|             |   | § |                   |             |
| For:        | Communication-link-<br>Attached Persistent<br>Memory System | § | Docket No.:       | 200314538-1 |
|             |   | § |                   |             |
|             |   | § |                   |             |

**REPLY BRIEF**

**Mail Stop Appeal Brief – Patents**  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Date: August 22, 2008

Sir:

In response to the Examiner's Answer dated July 11, 2008, Appellants submit this Reply Brief.

**I. RESPONSE TO ARGUMENTS OF THE EXAMINER'S ANSWER**

The Answer states, "The claim does not require that one persistent memory manager perform both allocations... ." Contrary to the assertion of the Answer, claim 10 recites "a persistent memory manager (PMM) ... and wherein **the** PMM **causes** the primary nPMU to create the primary region and **causes** the mirror nPMU to create the mirror region." There is only one PMM claimed, and the claimed PMM causes the creation of both the primary and mirror nPMU regions, so Appellants fail to see how "the claim does not require that one persistent memory unit" perform the claimed functions.

Moreover, the Answer states, "The claim does not require that one persistent memory unit [perform] both allocations [] together with some special relationship." Contrary to the assertion of the Answer, claim 10 recites, "the PMM responds to a request from the client for an assignment of persistent memory, and [] causes the primary nPMU to create the primary region and causes the mirror nPMU to create the mirror region." Again, there is only one PMM claimed, the

claimed PMM causes the creation of the regions, and the creation of regions is in response to the request from the client. Thus, Appellants fail to see how there could be no "special relationship" in claimed system – the "special relationship" is the expressly claimed request from the client.

## **II. CONCLUSION**

It is believed that no extensions of time or fees are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), are hereby authorized to be charged to Hewlett-Packard Development Company's Deposit Account No. 08-2025.

Respectfully submitted,

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